IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Bail Appl..No. 3300 of 2007()

CRIME NO. 353 OF 1998 OF TOWN POLICE STATION

.....

PETITIONER/7TH ACCUSED :

NAZEER, S/O. ABDUL RAHIMAN,
H.NO. 25/226, VENNAKKARA, PALAKKAD

BY ADV. SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P

RESPONDENT:

STATE OF KERALA REPRESENTED BY SUB INSPECTOR OF POLICE
TOWN SOUTH POLICE STATION, PALAKKAD, REP. BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 3300 of 2007

DATED: 30-05-2007

O R D E R

Petitioner who is the 7th accused in Crime No.353 of 1998 of Town South Police Station, Palakkad for an offence punishable under Sec. 395 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in S.C. No. 2 of 2001 on the file of the Sessions Court, Palakkad the case against the petitioner has been transferred to the Long Pending Case Register as L.P. Case No.1/2001. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Sessions Court concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Sessions Court and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

V.RAMKUMAR, JUDGE.

ani